

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Counsel to the Debtor and Debtor in Possession

In re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

ALUMINUM SHAPES, L.L.C.,

Plaintiff,

v.

DIRECT ENERGY BUSINESS, LLC and DIRECT ENERGY BUSINESS MARKETING, LLC D/B/A DIRECT ENERGY BUSINESS,

Defendant.

Chapter 11

Case No. 21-16520-JNP

ADVERSARY NO.
21-01467-JNP

Hearing Date: March 22, 2022

Hearing Time: 2:00 p.m.

**NOTICE OF THE DEBTOR,
ALUMINUM SHAPES,
L.L.C.'S MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE, that on March 22, 2022, at 2:00 p.m. or as soon thereafter as he may be heard, the debtor and debtor in possession, Aluminum Shapes, L.L.C. (the "Debtor" or "Plaintiff"), by and through its counsel, Obermayer Rebmann Maxwell & Hippel LLP, shall apply before the Honorable Jerrold N. Poslusny, Jr., Bankruptcy Judge for the United States Bankruptcy

Court, District of New Jersey, for an Order Granting Summary Judgment in favor of the Debtor and against Defendants, Direct Energy Business, LLC (“DEB”) and Direct Energy Business Marketing, LLC d/b/a Direct Energy Business (“DEBM” and collectively with DEB the “Defendants” or the “Creditors”) pursuant to Fed. R. Civ. P. 56 made applicable here by Fed. R. Bankr. P. 7056 (the “Motion”).

PLEASE TAKE FURTHER NOTICE, that in support of the Motion, the Debtor shall rely upon the Certification of Jordan Meyers, Interim Chief Financial Officer of the Debtor, the Debtor’s Memorandum of Law and Statement of Undisputed Material Facts in support of the Motion, and documentary evidence and/or oral testimony that may be appropriate or the Court may require on the return date of this Motion.

PLEASE TAKE FURTHER NOTICE, that all answering papers and/or objections, if any, to the relief sought herein must be made in writing and filed with the Clerk of the Bankruptcy Court at the United States Bankruptcy Court, and served upon the undersigned counsel for the Plaintiff, four (4) days prior to the return date of the Motion, pursuant to Rule 9013-2(a)(2) of the Local Rules of Bankruptcy Procedure for the United States Bankruptcy Court for the District of New Jersey.

PLEASE TAKE FURTHER NOTICE, that the Debtor requests oral argument on the Motion.

PLEASE TAKE FURTHER NOTICE, that should no objection be filed to the relief sought, the Court may enter the Order, in the form submitted herewith, granting such relief without a hearing.